

REMARKS

Applicants respectfully request reconsideration of the instant application in view of the aforementioned amendments and remarks. By this Amendment, Applicants have cancelled claims 8 and 13 without prejudice or disclaimer, and have presented revised Figures 5A-C and 6A-B for the Examiner's approval. No new matter has been added by the instant Amendment.

Objections to the Drawings

The Examiner has required corrected drawings for Figures 5A-C and 6A-B since these figures were apparently not properly labeled. Applicants have so corrected these drawings, and attach a copy of the revised drawings for the Examiner's consideration and approval.

Objections to the Claims

The Examiner has objected to claims 8 and 13 for various reasons. While Applicants respectfully disagree with the Examiner's assessment of these claims, Applicants have nevertheless cancelled these claims to advance the prosecution of the instant application. Applicants reserve the right to file these claims, and all withdrawn claims, in Continuation and Divisional applications.

Rejections under 35 USC 112

Other than the Rejections of now-cancelled claims 8 and 13, the Examiner has also rejected claims 1-15, 73-80 and 133-140 because it is apparently "unclear who/what is transmitting, a conditional purchase offer, and how it is transmitted, further who/what is receiving and acceptance and who/what is accepting the offer, further, who/what is accessing the cobranded website". Applicants respectfully submit that simply because claims are drafted in a broad fashion does not render them indefinite under 35 USC 112. Applicants respectfully submit that various entities may be transmitting a Conditional Purchase Offer, various entities/devices

may be receiving such an offer, etc., in accordance with the present invention. Applicants respectfully submit that broad claim language simply does not render these claims indefinite. If Applicants are required to supply limitations (which are not otherwise necessary for patentability) into these claims, it may necessitate extensive additional numbers of claims to assure full patent claim scope and coverage. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejections under 35 USC 102 and 103

Each of the independent claims of the instant application, as well as all dependent claims, have been rejected under 35 USC 102 in view of “Tavor (5,433,347)” or under 35 USC 103 in view of this reference and two other references. As an initial matter, Applicants believe that the Examiner intended to refer to USP 6,553,347 to Tavor, and have prepared the following remarks based on this understanding. If Applicants understanding is incorrect, the Examiner is respectfully requested to clarify the name and number of the cited reference(s).

Applicants respectfully submit that the features recited in the independent claims of the instant application are clearly distinguishable from the cited references. As recited in the independent claims, the claims of the present application recite receiving an acceptance of a conditional purchase (of a first product or service) and a bounce back offer to acquire a second product or service with a hyperlink to a cobranded site, and accessing the cobranded website to effectuate the bounce back transaction with a supplier-partner for the second product or service.

The office action cites column 2, lines 30-61 and 9, line 46-column 10, line 32 in support of a position that Tavor somehow discloses this feature. Applicants respectfully submit that Tavor fails to disclose, inter alia, an acceptance of a conditional purchase (of a first product or service) and a bounce back offer to acquire a second product or service with a hyperlink to a cobranded site, in the cited passage (or any portion of the cited reference). Accordingly Respectfully submit that the cited reference fails to disclose or suggest each of the features of the independent claims.

Applicants further submit that the remaining references fails to cure the deficiencies of Tavor in this regard.

Accordingly, Applicants respectfully submit that the pending independent claims are distinguishable from, and therefore allowable over, the cited references. Applicants respectfully request reconsideration and withdrawal of the instant rejections.

In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact Applicants' undersigned representative at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account 13-4500, Order No. 3553-4067US1.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 3553-4067US1. A
DUPLICATE OF THIS DOCUMENT IS ATTACHED.

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CONCLUSION

It is now believed that all pending claims are in condition for allowance. In view of the amendment and remarks, an early and favorable reconsideration is respectfully requested.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

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By: 

Walter G. Hanchuk
Registration No. 35,179

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154
(212) 758-4800 (telephone)
(212) 751-6849 (facsimile)